

**From:** [TARNOW Karen E](#)  
**To:** [Kristine Koch/R10/USEPA/US@EPA](#)  
**Cc:** [Eric Blischke/R10/USEPA/US@EPA](#); [Chip Humphrey/R10/USEPA/US@EPA](#); [matt.mcclincy@state.or.us](#); [TARNOW Karen E](#)  
**Subject:** FW: anderson brothers  
**Date:** 09/21/2009 04:41 PM  
**Attachments:** [Anderson SCD Letter to DEQ.doc](#)

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----- Message from "TARNOW Karen E" <[TARNOW.Karen@deq.state.or.us](mailto:TARNOW.Karen@deq.state.or.us)> on Wed, 22 Jul 2009 13:02:52 -0700 -----

**To:** <[koch.kristine@epa.gov](mailto:koch.kristine@epa.gov)>  
**Subject:** meeting in Portland?

Kristine - thanks much for sharing this in draft form. As I suspected, there appear to be a couple of "kinks" to work out to gain EPA's buy-in on our stormwater SCDs..

I'd like to propose that we get together, with Matt, Chip and Eric if they are interested, to talk about these stormwater decisions. We (DEQ) feel that there are reasonable and legal limits to how far we can require an RP to go on their stormwater evaluation. Unfortunately, that can result in a less-than-desirable level of certainty about stormwater source control at the site. We'd like to talk about how we can best manage these somewhat competing realities, and I believe it's best done by considering how stormwater decisions fit in to the context of the broader CERCLA process. [See the attached email for a previous suggestion to meet on this same topic.]

Can we make time to do this within the next few weeks - before the draft RI comes out and we all get distracted by that?

Karen

-----Original Message-----

**From:** Koch.Kristine@epamail.epa.gov  
[mailto:[Koch.Kristine@epamail.epa.gov](mailto:Koch.Kristine@epamail.epa.gov)]  
**Sent:** Monday, September 21, 2009 12:12 PM  
**To:** TARNOW Karen E  
**Subject:** Re: anderson brothers

Karen - here is draft letter.

(See attached file: Anderson SCD Letter to DEQ.doc)

Kristine Koch  
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"TARNOW Karen E"	
< <a href="mailto:TARNOW.Karen@deq.state.or.us">TARNOW.Karen@deq.state.or.us</a> >	To
09/16/2009 10:38 AM	cc
	Subject
anderson brothers	

Hi Kristine -  
You may have already wrapped up your comments on the Anderson Bros SCD, but if they haven't been finalized yet, I was wondering if you'd want to share them in a draft form first. Since Anderson Bros is supposed to be the first test case under our new guidance, it would be nice to have the chance to work out any kinks - if necessary - before your comments are on the record.

Hi Kristine -

I wondered if I could catch some time with you on one of your upcoming trips to Portland. I'd like to discuss a scenario we are likely to see as we wrap up our stormwater evaluations on the low/medium priority sites. Here's a hypothetical example:

A site has completed their SW evaluation and implemented appropriate source control measures, and DEQ feels it has the info it needs to determine that any legacy sources are eliminated or controlled and that the site is doing a good job with SW management/BMPs. The problem is that in 2 of the 4 stormwater samples collected after SCMs were implemented, they got hits of PCBs at 0.2 - 0.3 ug/l (elevated but not screaming). From our perspective, the only things they could do to knock that back would be quite expensive, e.g., repaving, sophisticated end of pipe treatment, etc.

As you might imagine, we're reluctant to make them do those things at this juncture without clear justification. Essentially, I'd like to talk with you about the justification piece - i.e., what's our basis for deciding one way or the other. I think it'd be helpful to think about this in the context of the CERCLA process as a whole, to make sure that the decisions we make about stormwater at various stages in the process fit together in some logical fashion.

I'm thinking of this as being a low key, brainstorming session and will probably ask Matt to join us. Feel free to invite Chip or Eric if you feel like it. I don't expect to figure it all out in one sitting but hope we can define where we need to go with it.

Thanks

Karen (After today, I'm out of the office until August 3)

Karen Tarnow  
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Portland Harbor Stormwater Coordinator  
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